

Protection Order Committee
Judicial Conference of Indiana

Minutes
January 28, 2011

The Protection Order Committee met at the Indiana Judicial Center on Friday, January 28, 2011 from 12:00 noon – 3:00 p.m.

1. Members present. Elizabeth Ann Cure, Christopher M. Goff, Thomas P. Hallett, J. David Holt, John D. Kitch, Jose D. Salinas, Ronald T. Urdal, Terry A. Wilson and Christopher A. Newton, Chair.
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Guests. David J. Remondini, Chief Deputy Executive Director; Mary DePrez, Director and Counsel, Trial Court Technology; and LaJuan Epperson, Project Manager, JTAC, all from Division of State Court Administration were also present.
4. Minutes approved. The minutes for the meeting on August 27, 2010 were approved.
5. Protection Order Deskbook. Jeffrey Bercovitz distributed the newly revised Protection Order Deskbook to the members of the committee.
6. Protection Order forms.
 - a. Judge Salinas moved to delete PO-0114, the Notice to the State Police on Firearms, since this information is now contained in the Protection Order. Judge Goff seconded the motion. The motion was passed. The committee agreed to place an explanation on the website indicating the information on this form was now contained in the protection order.
 - b. Jeffrey Bercovitz reported there are some mistakes in PO-0102, PO-0103 and WV-0100, which had not been reviewed in a few years. They are instructions for petitions for protection orders and workplace violence restraining orders. Magistrate Hallett and Referee Wilson agreed to prepare revisions for these forms for the committee's review at the next meeting.
 - c. Committee members reviewed some archaic wording in PO-0109. Referee Kitch moved to change "be" to "is" in the last line of the order. Judge Salinas seconded the motion. The motion was passed.
 - d. Judge Salinas reported the JTAC was about complete in translating selected Protection Order forms into Spanish.
 - e. Members of the committee reviewed an email from St. Joseph County indicating the confidential form titles are not identical to those in the Protection Order Registry, (POR) and the placement of information in the POR is hampered when the format of the written forms does not match the progression of data entry screens in the POR. Committee members agreed to have the Judicial Center contact the county and indicate appreciation for the inquiry and to note the issue will be kept in mind as the laws and forms are revised in future years.

7. New members. Judge Newton welcomed new members to the committee. All members and staff of the committee introduced themselves.

8. Recent legislation. Jeffrey Bercovitz distributed SB 291, Guns made in Indiana only; SB 593, JTAC and Protection Order Registry; and HB 1465, Order of Protection filed if one “threaten[s]” to commit domestic or family violence.

9. Domestic Violence Grant. David Remondini reviewed a grant recently received by the Division of State Court Administration to develop a training curriculum on domestic violence for judges and provide this training. He indicated the curriculum would be developed this year and the training would be implemented in 2012. Committee members agreed to assist in any way possible.

10. Protection Order Registry.

a. Mary DePrez reported SB 593, which would move the Protection Order Registry to the Attorney General’s office was not scheduled for a hearing. The committee agreed to provide support if needed to keep the registry under JTAC in the judicial branch.

b. LaJuan Epperson reported (1) a victim notification option will be ready soon, which permits a victim to be notified when the protection order is granted, served and/or getting ready to expire; (2) a public search site for any protection order in the POR will be ready soon and would come to demonstrate this to the Committee at their next meeting; (3) Spanish translation of the Petition and Protection Orders will be reviewed soon. There will be an option to print these forms in English and/or Spanish; and (4) Electronic signatures on for protection orders by a keypad and with the use of a pin code number will be available soon.

c. Members of the committee discussed the issuance of a 10 day no contact order when no judicial officer was available. Various committee members mentioned the use of a condition of pretrial release which included a no contact condition, but was not included in the registry. They also discussed adding this as a condition of release on bond in the form from the Criminal Benchbook.

11. Future meeting dates. Committee members agreed to meet again on Friday, March 25 from 12:00 Noon – 3:30 p.m. They agreed to meet after the April 29 judicial college session from 12:30 – 3:30 p.m. They agreed to cancel the June 24 meeting and meet again on August 26, 2011 and October 28, 2011, from 12:00 Noon – 3:30 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law